

**Department of Legislative Services**  
 Maryland General Assembly  
 2015 Session

**FISCAL AND POLICY NOTE**

House Bill 435 (Delegate Rosenberg)  
 Health and Government Operations

**Department of Health and Mental Hygiene - Award of Grant - Study of Past Practices at State Psychiatric Institutions**

This bill requires the Department of Health and Mental Hygiene (DHMH) to award a grant to a nonprofit organization to study the past treatment practices at State psychiatric facilities. DHMH must award the grant by January 1, 2016. The nonprofit organization must submit the results of the study to the President of the Senate; the Speaker of the House of Delegates; the Senate Education, Health, and Environmental Affairs Committee; and the House Health and Government Operations Committee by December 1, 2016.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$50,000 in both FY 2016 and 2017 for DHMH to award a grant to a nonprofit organization to conduct a comprehensive review of past treatment practices at State psychiatric institutions, including reviewing records and data and conducting interviews. Revenues are not affected.

(in dollars)	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	50,000	50,000	0	0	0
Net Effect	(\$50,000)	(\$50,000)	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** DHMH must award a grant to a nonprofit organization to (1) study the past practices regarding treatment of patients at State psychiatric institutions and (2) consider the past practices in the context of national and international past practices regarding the treatment of patients in psychiatric institutions and the prevailing theories regarding such treatment at the time the practices were used.

**Current Law/Background:** In the past, public psychiatric care in Maryland was provided almost exclusively in State mental hospitals. The trend over the last few decades has been to expand community services and downsize institutions. Instead of State psychiatric hospitals being the point of entry for inpatient psychiatric care, private psychiatric hospitals and psychiatric wards of acute-general hospitals have become the point of entry for most inpatient psychiatric care. DHMH currently operates seven psychiatric hospital centers throughout the State – five for adults and two for children and adolescents.

In June 2004, DHMH closed the Crownsville Hospital Center, a State-run psychiatric hospital located in Anne Arundel County. Crownsville Hospital Center opened in the early 1900s and was originally called the “Asylum for the Negro Insane.” The 200 patients residing at the hospital at the time of closure were transferred to other State hospital centers and community programs.

The Crownsville Hospital Center was the subject of substantial controversy for many decades. According to a *Capital Gazette* report, 30% of patients died at the hospital. A 1948 hospital annual report showed that patients were repeatedly subjected to “experimental treatments,” including lobotomies for the “feebleminded,” insulin shock treatments for epilepsy, malaria injections, hydrotherapy (alternate immersion in hot and cold water), and pneumoencephalography (drilling a hole in the skull, draining the fluid from around the brain, and replacing the fluid with oxygen or helium to view the brain in X-rays). Patients were also subjected to overcrowding, malnutrition, and shackling. Historians note that the practices, while clearly incompatible with today’s medical standards, were unsurprising for the time. As a result of efforts by organizations like the National Association for the Advancement of Colored People (NAACP), conditions improved dramatically in the mid-1960s.

The Crownsville Hospital Center campus has an area known as the Crownsville Hospital Cemetery. In 1926, the first person was laid to rest, and in 1958, the last known burial took place. It is estimated that approximately 3,000 individuals were buried during the intervening years. Many individuals (both children and adults) who died at the hospital and had no relatives or friends were buried in this area. The Legislative Black Caucus held a hearing in September 2013 to discuss concerns about the Crownsville Hospital Cemetery and the treatment of African-Americans at State hospitals. Concerned local residents expressed interest in having the cemetery history researched and publicized. Some hope

that the site can serve as a memorial to honor former patients. Chapter 305 of 2014 established perpetual care maintenance requirements for the cemetery and required DHMH to publish an annual report about the implementation of the new law and the status of the cemetery.

In August 2013, a coalition of civil rights organizations (namely, the American Civil Liberties Union of Maryland, the Caucus of African-American Leaders, the Maryland State Conference of NAACP Branches, the Anne Arundel County NAACP, and the Maryland Disability Law Center) submitted a joint letter to the Governor asking the State to investigate and publicly acknowledge the historical mistreatment of African-Americans in the State's mental health system, particularly at Crownsville State Hospital. The coalition noted that Crownsville was the only State hospital to admit significant numbers of African-Americans, and it called for an investigation into both the conditions experienced by African-Americans and the evidence of experimentation upon human subjects of all races in Maryland's psychiatric hospitals during the twentieth century. The coalition also requested that the State attempt to identify the patients buried on the property and provide an appropriate memorial.

**State Expenditures:** DHMH advises that general fund expenditures increase by a total of \$100,000, with the first installment of \$50,000 being made in fiscal 2016 to award a grant to a nonprofit organization to conduct a comprehensive review of past treatment practices at State psychiatric institutions, including the cost of reviewing records and data and conducting interviews. The second installment of \$50,000 is made in fiscal 2017.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** *Capital Gazette*, American Civil Liberties Union of Maryland, Caucus of African-American Leaders, Maryland State Conference of NAACP Branches, Anne Arundel County NAACP, Maryland Disability Law Center, Department of Health and Mental Hygiene, Department of Legislative Services

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